

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

EASTGATE WHITEHOUSE LLC,

Debtor.
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Case No. 22-22635 (SHL)

**DECLARATION OF DIRECT TESTIMONY OF CHRISTOPHER J. ALVARADO IN
SUPPORT OF DEBTOR'S AMENDED MOTION TO ASSUME GROUND LEASE**

CHRISTOPHER J. ALVARADO, hereby declares:

1. I am an attorney duly admitted to practice law in the State of New York. I submit this declaration of direct testimony in support of the motion of Eastgate Whitehouse, LLC (the "Debtor") to assume its ground lease (the "Ground Lease") with 939-943 First Avenue, LLC (the "Ground Lessor") with respect to the real property and improvements located at 939 First Avenue (a/k/a 350 East 52nd Street), New York, New York 10022 (the "Property").

2. In January 2023, I was asked by William Koeppel, on behalf of the Debtor, to assist in obtaining the removal of a pending sidewalk lien on the property filed by New York City (the "City"). The alleged violation of the sidewalk at the Property had been cured pre-bankruptcy, but the City had not removed the lien.

3. In order to remove a sidewalk lien, the Property will need to clear an inspection by the New York City Department of Transportation ("DOT"). Inspections are scheduled by contacting DOT through the City's 311 number and requesting an inspection. The DOT does not provide advance notice of the inspection date. They simply show up, inspect the Property and then issue an inspection report. It typically takes approximately five weeks for DOT to inspect the

Property, and then another approximately four weeks to receive the inspection report, at which point the Sidewalk Lien will be removed provided the Property passes the inspection.

4. On January 25, 2023, I contacted DOT through the 311 service and requested a sidewalk inspection at the Property for the purpose of clearing the Sidewalk Lien on the grounds that the sidewalk had been repaired. As of the date hereof, I have not received a DOT inspection report from the City, but I expect that the Debtor will be receiving a report shortly.

I declare under penalty of perjury under the laws of the United States that the foregoing is
Executed this 14th day of March 2023.

/S/ Christopher J. Alvarado

Christopher J. Alvarado